

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TIMOTHY CARSON, on behalf of himself	:	
and others similarly situated,	:	
	:	
Plaintiffs,	:	FLSA Collective Action
	:	
v.	:	Civil Action No. 07-359 MPT
	:	
ASTRAZENECA PHARMACEUTICALS	:	
LP,	:	
	:	
Defendant.	:	

STIPULATION REGARDING PLAINTIFF’S RULE 30(B)(6) DEPOSITIONS

Plaintiff Timothy Carson (“Plaintiff”) and Defendant AstraZeneca LP, sued here as AstraZeneca Pharmaceuticals LP (“Defendant”), enter into the following stipulation:

WHEREAS, Plaintiff desires to take the deposition upon oral examination of Defendant’s corporate representatives pursuant to Federal Rule of Civil Procedure 30(b)(6).

WHEREAS, Plaintiff’s counsel, Kingsley & Kingsley APC, represent numerous plaintiffs (in addition to Timothy Carson) in similar actions throughout the country, including the following: *Hummel v. AstraZeneca Pharmaceuticals LP*, U.S. District Court, Southern District of New York, Case No. 07-CIV-5473; *Campagna/Baum v. AstraZeneca LP*, U.S. District Court, Western District of Pennsylvania, Case No. 07-CV-00090; and *Brody v. AstraZeneca Pharmaceuticals*, U.S. District Court, Central District of California, Case No. 2:06-CV-06862.

WHEREAS, Defendant has agreed to produce the corporate representatives identified below in response to Plaintiff’s request to conduct depositions pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure.

WHEREAS, Plaintiff’s counsel has agreed to take the depositions of Defendant’s corporate representatives on November 14, 15, 16, 2007 and December 5, 6, 13, 2007.

WHEREAS, the parties have agreed that for efficiency purposes there will be no additional Rule 30(b)(6) depositions other than those listed below and that such depositions will be used for and count against any applicable deposition limit in each and every case against Defendant in which any plaintiff(s) are represented by Kingsley & Kingsley.

NOW THEREFORE, the parties hereby stipulate that:

1. Defendant will produce the corporate representatives listed below. Each witness will be required to testify only on the dates specified and on the topics described below:

- Defendant will produce Debra Ventura (Director of Sales Training) to testify about the product/sales training provided to Pharmaceutical Sales Specialists (“PSSs”) and related PSS duties, for the *Brody*, *Hummel*, and *Baum/Campagna* actions on November 14, 2007.
- Defendant will produce Linda Kuritzkus (Director of Commercial Compensation) to testify about the monetary compensation of named plaintiffs Marc Brody, Holly Hummel, Kristin Baum, Michelene Campagna, and Timothy Carson, and how their incentive compensation was tied to their sales efforts, for the *Brody*, *Carson*, *Hummel*, and *Baum/Campagna* actions on November 15, 2007.
- Defendant will produce Melanie Lewis (Director of Sales Planning & Project Management) to testify about the criteria and methods for evaluating the job performance of PSSs, including the criteria and methods for promotions, raises, discipline, probation, and termination of PSSs, for the *Brody*, *Hummel*, and *Baum/Campagna* actions on November 16, 2007.
- Defendant will produce Melanie Lewis to testify about AstraZeneca LP’s corporate organizational structure, for the *Carson* action on November 16, 2007.

- Defendant will produce Melanie Lewis and/or Cindy Byers to testify about the time-keeping practices for tracking days on territory of Pharmaceutical Sales Specialists (“PSSs”), Time Trax records, and the location of such records, for the *Brody*, *Hummel*, and *Baum/Campagna* actions. Melanie Lewis will testify on November 16, 2007 and Cindy Byers will testify on December 13, 2007.
- Defendant will produce Melanie Lewis and/or Cindy Byers to testify about the bases upon which PSSs are classified as exempt from the overtime requirements of applicable law, for the *Brody*, *Hummel*, *Baum/Campagna*, and *Carson* actions. Melanie Lewis will testify on November 16, 2007 and Cindy Byers will testify on December 13, 2007.
- Defendant will produce Melanie Lewis and/or Cindy Byers to testify about the job descriptions and job duties of PSSs in the different therapeutic areas and career ladder levels 1 through 5, for the *Carson* action. Melanie Lewis will testify on November 16, 2007 and Cindy Byers will testify on December 13, 2007.
- Defendant will produce Larry Freedman (sales management in the northeast) to testify about expected working hours of PSSs in named plaintiff Timothy Carson’s sales area for the *Carson* action on December 5, 2007.
- Defendant will produce Mike Forst (Director Targeting & Performance) to testify about the tools to measure the orders obtained by PSSs for the *Hummel* and *Baum/Campagna* actions on December 6, 2007.
- Defendant will produce Larry Freedman and/or Cindy Byers to testify about the PSS work expectations, job duties, and responsibilities, for the *Brody*, *Carson*, *Hummel* and *Baum/Campagna* actions. Larry Freedman will testify on December 5, 2007 and Cindy Byers will testify on December 13, 2007.

- Defendant will produce Larry Freedman and/or Cindy Byers to testify about the methods and/or rules by which the job performance of PSSs was supervised for the *Brody*, *Hummel*, and *Baum/Campagna* actions. Larry Freedman will testify on December 5, 2007 and Cindy Byers will testify on December 13, 2007.
- Defendant will produce Cindy Byers (sales management) to testify about the policies governing PSS presentations to medical professionals and facilities, namely office visits, lunch and/or dinner programs, and the documents and visual aids available to PSSs for use in connection with those presentations, for the *Brody*, *Hummel*, and *Baum/Campagna* actions on December 13, 2007.

2. The location of the depositions on November 14, 15, 16, 2007 and December 5, 6, 2007 will be at the offices of Young Conaway Stargatt & Taylor, LLP, located at The Brandywine Building, 1000 West Street, 17th Floor, Wilmington, Delaware 19899. The location of the deposition on December 13, 2007 will be in Los Angeles, California.

3. Plaintiff will bear all costs and/or expenses of any plaintiffs or their counsel for taking the depositions, including any costs for travel.

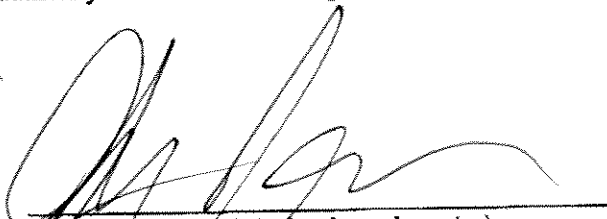
4. The Rule 30(b)(6) depositions listed above in Paragraph 1 will be used towards, and count against, any applicable deposition limit in each and every case against Defendant in which any plaintiff(s) is/are represented by Kingsley & Kingsley. There will be no additional depositions of Defendant's corporate representatives for any of the cases mentioned in this stipulation.

5. Defendant has the right to substitute or add witnesses or to amend designations with reasonable notice.

6. Defendant reserves any and all applicable objections and is not waiving any potential objection by entering into this stipulation.

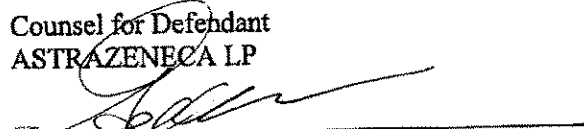
7. Counsel for the parties have authority to enter into this stipulation for all cases mentioned.

Dated: October 25, 2007


Harry I. Johnson (admitted *pro hac vice*)
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Counsel for Defendant
ASTRAZENECA LP

Dated: October 25, 2007


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Counsel for Plaintiff
TIMOTHY CARSON

ORDER

The parties having stipulated to the foregoing and good cause appearing, IT IS SO ORDERED.

Dated: _____

(_____ United States Magistrate Judge)

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FOR THE DISTRICT OF DELAWARE**

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and others similarly situated,	:	
	:	
Plaintiffs,	:	FLSA Collective Action
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v.	:	Civil Action No. 07-359 MPT
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ASTRAZENECA PHARMACEUTICALS	:	
LP,	:	
	:	
Defendant.	:	

NOTICE OF SERVICE

I, Harry I. Johnson, III, the undersigned counsel for the Defendant in the above-captioned case, hereby certify that a true and correct copy of the ***Stipulation Regarding Plaintiff's Rule 30(b)(6) Depositions***, was sent via U.S. Mail postage pre-paid on October 26, 2007 to the following:

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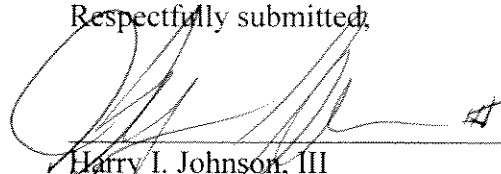
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Dated: October 26, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Harry I. Johnson, III", is written over a horizontal line. The signature is fluid and cursive.

Harry I. Johnson, III

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Counsel for Defendant

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